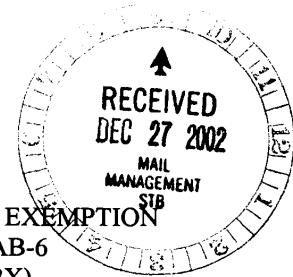


206944

BEFORE THE  
SURFACE TRANSPORTATION BOARD

Abandonment of a line of Railroad  
Between BNSF Station 258 + 07 and  
Station 267 + 00 in Seattle, Washington

NOTICE OF EXEMPTION  
Docket No. AB-6  
(Sub-No. 402X)



TO THE SURFACE TRANSPORTATION BOARD:

The Burlington Northern and Santa Fe Railway Company (BNSF) hereby notifies the Board that it intends to abandon its line of railroad between Station 258 + 07 and Station 267 + 00, a distance of 0.17 miles, in Seattle, King County, Washington, pursuant to the Board's Exemption of Out of Service Rail Lines, 49 C.F.R. § 1152.50 and in support of the Notice, respectfully provides the following information:

**FILED**

DEC 2 2002

Proposed consummation date for the abandonment.

February 15, 2003.

ENTERED  
Office of Proceedings

DEC 27 2002

Part of  
Public Record

II. Certification required in 49 C.F.R. § 1152.50(b)

TRANSPORTATION BOARD

The attached Certification of Michael Smith certifies that no

FILED

DEC 27

TRANSPORTATION BOARD

formal complaint filed by a user of rail service on this line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is pending with the Board or any U.S. District Court or has been decided in favor of a complainant within the last two years. The attached Verification of Richard A. Batie certifies that no local traffic has moved over this line for at least two (2) years and any overhead traffic on the line can be rerouted over other lines.

III. Information required by C.F.R. § 1152.22(a)(1-4), (7), (8) and (e)(4).

(a) General

- (1) Exact name of Applicant.

The Burlington Northern and Santa Fe Railway  
Company

- (2) Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

Applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

- (3) Relief sought.

BNSF seeks an exemption from Surface Transportation Board approval authorizing the abandonment and discontinuance of service of the Seattle, Washington line specified above.

- (4) Detailed map of the subject line.

See Exhibit A.

- (5) Name, title and address of representative of applicant to whom correspondence should be sent.

Michael Smith  
Freeborn & Peters  
311 S. Wacker Dr., Suite 3000  
Chicago, Illinois 60606-6677

- (6) List of all United State Postal Service ZIP Codes that the line traverses.

The Seattle, Washington line traverses United States Postal Service Zip code 98119.

- (7) Statement of whether the properties proposed to be abandoned are suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

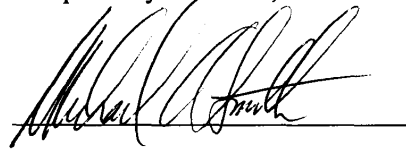
The right of way may be suitable for use for other public purposes such as a trail. On part of the properties involved, title considerations may affect the conveyance of the land for use other than railroad or railbanking purposes. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

IV. Level of protection.

The interest of railroad employees will be protected by the conditions imposed in Oregon Short Line RR Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979)

V. Certification that the notice requirements of §§ 1152.50(d)(1) and 1105.11 have been met. attached.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael Smith', is written over a horizontal line.


Michael Smith  
Freeborn & Peters  
311 S. Wacker Drive, Suite 3000  
Chicago, Illinois 60606-6677  
(312) 360-6336  
FAX (312) 360-6598

Date: December 26, 2002

**VERIFICATION**

STATE OF TEXAS            )  
  )ss  
COUNTY OF TARRANT    )

Richard A. Batie makes oath and says he is Manager, Shortline Development in the Network Development department of The Burlington Northern and Santa Fe Railway Company; that he has been authorized by the Applicant to verify and file with the Surface Transportation Board the foregoing Notice of Exemption in AB-6 (Sub-No. 402X); that he affirms that the line has had no local traffic in the prior two (2) years and that there is no overhead traffic to be rerouted; that he has carefully examined all of the statements in the Notice; that he has knowledge of the facts and matters relied upon in the Notice; and that all representations set forth therein are true and correct to the best of his knowledge, information, and belief.



Richard A. Batie  
Manager, Shortline Development

Subscribed and sworn to before me the 13 day of December 2002.



  
Notary Public

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY  
NO. AB-6 (Sub-No. 402X)

**CERTIFICATION**

I hereby certify that (1) no formal complaint filed by a user of rail service on this line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is pending with the Board or any U.S. District Court or has been decided in favor of a complainant within the last two (2) years; (2) service of notice upon the U.S. Department of the Interior, National Park Service, Recreation Park Service, Land Resource Division; the Department of Defense, Military Traffic Management Command; the Washington Public Utilities Commission; the Washington Department of Transportation; and the Chief Forest Service, U.S. Department of Agriculture was accomplished by mailing a copy thereof on December 6, 2002; (3) the environmental and historic reports were serviced upon the agencies identified in 49 C.F.R. § 1105.7(b) and the State Historic Preservation Offices on December 6, 2002; (4) service of notice upon the State Clearinghouses was accomplished by mailing a copy thereof on December 6, 2002; and (5) the publication requirements of 49 C.F.R. § 1105.12 have been complied with, to wit: publication of notice was accomplished on December 9, 2002 in The Seattle Times, affidavits of publication are attached).



Michael Smith  
Freeborn & Peters  
311 S. Wacker Drive, Suite 3000  
Chicago, Illinois 60606-6677  
(312) 360-6336  
FAX (312) 360-6598

Dated: December 26, 2002

## 1791167 / 1

Daniel S. O'Neal being duly sworn, says that he/she is the Authorized Agent of Seattle Times Company, publisher of The Seattle Times and representing the Seattle Post-Intelligencer, separate newspapers published daily in King and Snohomish Counties, State of Washington: that they are newspapers of general circulation in said Counties and State; that they have been approved as legal newspapers by orders of the Superior Court of King and Snohomish Counties; that the annexed, being a classified advertisement, was published in:

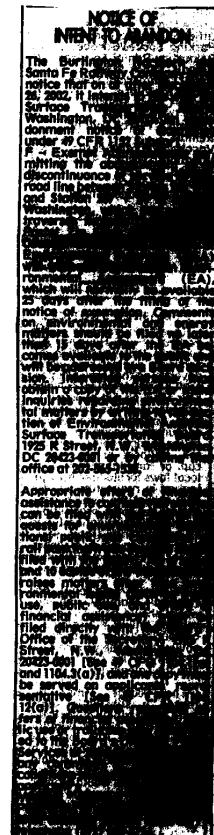
Newspaper	Publication Date
The Seattle Times	12/09/02

*Paul H. Chan*

Subscribed and sworn to before me this 13<sup>th</sup> day of December, 2002

Matthew Adams

Notary Public in and for the State of Washington residing at Seattle



BEFORE THE  
SURFACE TRANSPORTATION BOARD

In the Matter of The  
Burlington Northern and Santa Fe  
Railway Company  
Notice of Exemption to Abandon  
Its Line of Railroad Between Station 258 + 07  
and Station 267 + 00 in Seattle,  
Washington

Docket No. AB-6  
(Sub No. 402X)

**HISTORICAL REPORT**

The following is submitted to the Surface Transportation Board by The Burlington Northern and Santa Fe Railway Company (BNSF) in accordance with the Board's reporting requirements set forth in 49 C.F.R. § 1105.8 for the purpose of assisting the Board's environmental and historical assessment regarding BNSF's Notice of Exemption to abandon its line of railroad between Station 258 + 07 and Station 267 + 00 in Seattle, King County, Washington.

(1) A U.S.G.S. topographic map (or alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of the railroad structures that are 50 years old or older and are part of the proposed action;

One copy of a U.S.G.S. Topographical map has been provided to the State of Washington Office of Archaeology and Historic Preservation and one copy is being provided to the Surface Transportation Board's Section of the Environmental Analysis upon filing of this Report.



(2) A written description of the right-of-way (including approximate widths, to the extent known) and the topography and urban and/or rural characteristics of the surrounding area:

The Seattle, Washington Trackage is 100 feet wide and is located within the city of Seattle which has a population of 563,374. The city of Seattle is part of the metropolitan statistical area of Seattle - Bellevue - Everett, Washington. The Seattle, Washington trackage parallels the south side of the Lake Washington ship canal. Between the line and the canal are marine related businesses. The area south of the line is generally hilly and includes various uses.

(3) Good quality photographs (actual photographic prints, not photocopies) or railroad structures on the property that are 50 years old or older and of the immediately surrounding area;

There are no bridges or railroad structures that are 50 years or older in the immediate area of the abandonment.

(4) The date(s) of construction of the structures, and the date(s) and extent of any major alterations, to the extent such information is known;

N/A

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

The Seattle, Lake Shore and Eastern Railway Company acquired the right of way in 1887. The Seattle, Lake Shore and Eastern Railway Company was a predecessor to the Northern Pacific Railway Company (NP). The NP merged in 1970 with the Great Northern Railway Company and the Chicago Burlington and Quincy Railroad Company to become the Burlington Northern Railroad Company (BN). In 1995, BN merged with the Atchison Topeka and Santa Fe Railway Company to become The Burlington

Northern and Santa Fe Railway Company (BNSF). This trackage has been out of service for several years. Accordingly, no change in carrier operations is anticipated as a result of the proposed abandonment.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is to be historic;

Documents in BNSF's possession concerning this abandonment may include alignment maps showing the right-of-way and/or station maps. Such documents are too large for practical reproduction in this report, but can be furnished upon request, if they are available.

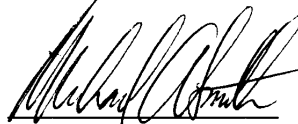
(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archaeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);

To the best of BNSF's knowledge, the proposed abandonment should have no appreciable effects on any known sites or properties listed, or eligible for listing in the National Register of Historic Places. BNSF is not aware of any unique sites or structures with significant historical associations. The project will have no effect upon cultural properties included in the National and State Registers of Historic Places and the Washington State Archaeological and Historic Sites Inventories. Thus, no historic properties are affected. See Exhibit M, letter from the Washington Office of Archaeology and Historic Preservation.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archaeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

BNSF is not aware of any known prior subsurface ground disturbance or fill or any other environmental conditions (naturally occurring or man-made) that might affect the recovery of archaeological resources.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Smith", written over a horizontal line.

Michael Smith  
Freeborn & Peters  
311 S. Wacker Dr. Suite 3000  
Chicago, Illinois 60606-6677  
Phone: (312) 360-6724  
Fax: (312) 360-6598

Date: December 26, 2002

BEFORE THE  
SURFACE TRANSPORTATION BOARD

In the Matter of The  
Burlington Northern and Santa Fe  
Railway Company  
Notice of Exemption to Abandon  
Its Line of Railroad Between Station 258 + 07  
and Station 267 + 00 in Seattle,  
Washington

Docket No. AB-6  
(Sub No. 402X)

**ENVIRONMENTAL REPORT**

The following information is submitted to the Surface Transportation Board by The Burlington Northern and Santa Fe Railway Company (BNSF) in accordance with the Board's reporting requirements as set forth in 49 C.F.R. § 1105.7 for the purpose of assisting the Board's preparation of an environmental document regarding BNSF's Notice of Exemption for abandonment of its line between Station 258 + 07 and Station 267 + 00 in Seattle, King County, Washington.

**(1) Proposed action and Alternatives:** Describe the proposed action, including commodities transported, the planned disposition (if any) of any railline and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

BNSF seeks to abandon and discontinue service of the line. A map of the line is attached as Exhibit A.

**(2) Transportation system:** Describe the effect of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

The proposed abandonment will have no affect on existing transportation systems or patterns as the line is out of service.

**(3) Land Use:**

(i) Based on consultation with local and/or regional planning agencies and/or review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

The proposed abandonment is consistent with local land use plans.

The right of way is identified as a planned trail in the City of Seattle's adopted Comprehensive Plan and Transportation Strategic Plan. See Exhibit B, letter from the City of Seattle. This portion of the right of way is essential for the completion of the City of Seattle's bikeway system. See Exhibits B, letter from the City of Seattle, and C, letter from Charles Montagne, attorney representing the City of Seattle.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agriculture land.

The area of the proposed abandonment is in a heavily urbanized area and farmland does not exist on the site. See Exhibit D, letter from the Natural Resources Conservation Service. Since no prime farmlands exist on the site, there will be no affect on prime agricultural land.

(iii) If any action affects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9

The properties may be located within a designated coastal zone; and an inquiry has been submitted to the State of Washington Department of Ecology to confirm whether the project is consistent with Washington's Coal Zone Management Program (CZMP). See Exhibit E, letter to the Washington Department of Ecology. In a 1992 abandonment involving

another section of right of way previously connected to this segment (Docket No. AB-6, (Sub-No. 402X), Abandonment Between BNSF Station 258 + 07 and Station 267 + 00 in Seattle, WA), the WA Department of Ecology had concluded that the former nearby abandonment would be consistent with Washington's CZMP. See Exhibit F, letter from State of Washington Department of Ecology, dated May 12, 1992. Based on BNSF's prior consultation on the segment located within a few miles of the proposed abandonment, the proposed abandonment should be consistent with Washington's CZMP.

(iv) If the proposed action is abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10906 and explain why.

BNSF believes these properties may be suitable for use as an addition to the existing Burke-Gillman Trail infrastructure in the Seattle area. The right-of-way is essential for the completion of the City of Seattle's trail system. See Exhibits B, letter from the City of Seattle, and C, letter from Charles Montagne, attorney representing the City of Seattle.

**(4) Energy:**

(i) Describe the effect of the proposed action on transportation of energy.

To the best of BNSF's knowledge there are no undeveloped energy resources such as oil, natural gas or coal in the vicinity of this line.

(ii) Describe the effect of the proposed action on recyclable commodities.

This abandonment and discontinuance will not adversely affect movement or recovery of recyclable commodities as the line is out of service.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

This abandonment will not result in an increase or decrease in overall energy efficiency as the line is out of service.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in the energy consumption and show the data and methodology used to arrive at the figure given.

There will be no diversions of traffic because the line is out of service.

**(5) Air:**

(i) If the proposed action will result in either:

(A). An increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of the line effected by the proposed, or

No.

(B). An increase in rail yard activity of at least 100% (measured by carload activity), or

No.

(C). An average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

The action will not involve an increase in truck traffic of more than 10% or 50 vehicles per day on any affected road segment as the line is out of service.

(ii) If the proposed action affects a Class I or nonattainment area under the Clean Air Act, and will result in either:

(A) An increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three train a day on any segment of rail line, or

(B) An increase in rail yard activity of at least 20% (measured by carload activity), or

(C) An average increase in truck traffic or more than 10-% of the average daily traffic of 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by State implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505) or in a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

The proposed abandonment will not result in an increase of rail or truck traffic because the line is out of service.

(iii) If the transportation of ozone depleting materials (such as nitrogen oxide and from) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

This action will have no effect on transportation of ozone-depleting materials as the line is out of service.



(6) **Noise:** If any of the thresholds identified in item (5)(c) of this section are surpassed, state whether the proposed action will cause:

(i) An incremental increase in noise levels of three decibels Ldn or more,

N/A

(ii) An increase to a noise level of 76 decibels Ldn or greater. If so, identify sensitive receptors (e.g. schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area and quantify the noise increase for those receptors if the thresholds are surpassed.

N/A

(7) **Safety:**

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad crossings).

This abandonment should have no adverse effect on health or public safety. There are two public crossings and no private crossings.

During salvage operations on the line, if any may be required, precautions will be taken to ensure public safety, and contractors will be required to satisfy all applicable health and safety laws and regulations.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills, and the likelihood of and accidental release of hazardous materials.

Abandonment will not result in transportation of hazardous materials.

(iii) If there are any known hazardous waste site or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

There is no evidence of known hazardous waste site or sites where there have been known hazardous materials spills on the right of way in Seattle, Washington between Station 258 + 07 and Station 267 + 00.

**(8) Biological resources:**

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

BNSF does not anticipate any adverse affects on endangered or threatened species or areas designated as a critical habitat. The Washington Department of Fish and Wildlife has identified the Great Blue Heron as a sensitive species that may have breeding occurrences in the vicinity of the abandonment. See Exhibit G. There is one bald eagle (*Haliaeetus leucocephalus*) nesting territory located in the vicinity of the project at T25N R4E S7. Nesting activities occur from January 1 through August 15. Wintering bald eagles may occur in the vicinity of the project. Wintering activities occur form October 31 though March 31. Bull trout (*Salvelinus confluentus*) occur in the vicinity of the project. See Exhibit H, letter from the Fish and Wildlife Service.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

The nearest Washington State Parks are Bridle Trails and Saint Edward. See Exhibit I, letter from the Washington State Parks and Recreation Commission. These parks are located several miles away and

are on the opposite side of Lake Washington and should not be affected by the proposed abandonment.

**(9) Water:**

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

The proposed abandonment should be consistent with applicable Federal, State and local water quality standards. This project does not involve salvage of properties extending over any waterways. The Washington Department of Ecology has responded to our request for information and has not found any problems with water quality. See Exhibit J.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year floodplains will be affected. Describe the effects.

The U.S. Army Corps of Engineers have been contacted and have not responded as of the date of this report. See Exhibit K. The proposed abandonment is not located within the 100-year floodplain. See Exhibit L, letter from the City of Seattle Department of Design, Construction and Land Use.

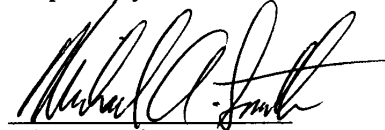
(iii) State whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.

The Washington Department of Ecology states a stormwater permit is not needed. See Exhibits J.

**(10) Proposed Mitigation:** Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Any salvage operations that may result will be in accordance with BNSF's general practice of requiring its private contractors to comply with all federal, state and local laws and regulations pertaining to the environment, including, but not limited to noise, air quality, water quality, and items of archaeological significance. The project itself should mitigate the environmental effects of reinstating active rail operations.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael A. Smith", is written over a horizontal line.

Michael Smith  
Freeborn & Peters  
311 S. Wacker Dr. Suite 3000  
Chicago, Illinois 60606-6677  
Phone: (312) 360-6724  
Fax: (312) 360-6598

Date: December 26, 2002

**CERTIFICATION PURSUANT TO 49 C.F.R.1105.7(c)**

The Burlington Northern and Santa Fe Railway Company ("BNSF") by and through its authorized representative, Michael Smith, certifies that on December 26, 2002, BNSF sent copies of the foregoing Environmental and Historical Reports by first class mail to the following agencies:

Ms. Victoria Rutson  
Chief, SEA  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001

Dr. Allyson Brooks  
Historic Preservationist Officer  
Office of Archeology and Historic  
Preservation  
P.O. Box 48343  
Olympia, WA 98504-8343

Jerry Alb  
Director  
Environmental Affairs Office  
Washington State Department of  
Transportation  
310 Maple Park Avenue SE  
PO Box 47331  
Olympia WA 98504-7300

U.S. Department of the Interior  
National Park Service  
Land Resource Division  
1849 C Street, N.W.  
Washington, DC 20240

Joseph Buesing  
District Manager  
U.S. Department of the Interior  
Bureau of Land Management  
1103 Fancher  
Spokane, WA 99212-1275

Raymond Hughbanks  
Natural Resources Conservation Service  
State Conservationist  
316 W. Boone Ave., Suite 450  
Spokane, WA 99201

Doug Sutherland  
Commissioner of Public Lands  
Washington State Department of Natural  
Resources  
P.O. Box 47001  
Olympia, WA 98504-7001

Peter Lagerwey  
Senior Transportation Planner  
Seattle Department of Transportation  
700 Fifth Avenue, Suite 3900  
Seattle, WA 98104-5043

Lori Guggenmos  
GIS Programmer  
Washington Dept. of Fish & Wildlife  
Priority Habitats and Species  
600 Capital Way N.  
Olympia, WA 98501-1091

Dr. Jeffery Koenings  
Director  
Washington Dept. of Fish & Wildlife  
600 Capital Way N.  
Olympia, WA 98501-1091

Diane Sugimura  
Acting Director  
Department of Design, Construction &  
Land Use  
700 5th Avenue, Suite 2000  
Seattle, WA 98104-5070

Jill Nishi  
Director  
Office of Economic Development  
700 - 5th Avenue, Suite 1730  
Seattle, WA 98104-5072

United States Department of Agriculture  
Natural Resources Conservation Service  
Renton Service Center  
935 Powell Ave SW Bldg 19  
Renton, WA 98055-2908

Washington State Parks and Recreation  
Commission  
7150 Cleanwater Lane  
P.O. Box 42650  
Olympia, WA 98504-2650

Sean Callahan  
Water Quality Program  
Department of Ecology  
Northwest Regional Office  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452

Jack Gossett  
U.S. Army Corps of Engineers  
Seattle District  
P.O. Box 3755  
4735 East Marginal Way South  
Seattle, WA 98124

Washington Utilities and Transportation  
Commission  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250

Bob Everitt  
Regional Director  
Washington Department of Fish & Wildlife  
Region 4  
16018 Mill Creek Boulevard  
Mill Creek, Washington 98012-1296

Metropolitan King County Council  
King County Courthouse  
516 Third Avenue, Room 1200  
Seattle, WA 98104-3272

Linda Matlock  
Washington Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600

Department of Natural Resources  
Forest Practices Division  
1111 Washington Street  
PO Box 47012  
Olympia, WA 98504-7012

U.S. EPA  
Region 10  
1200 6th Avenue  
Seattle, WA 98101

Anne Badgley  
Regional Director  
U.S. Dept. of the Interior  
Fish and Wildlife Service  
Eastside Federal Complex  
911 N.E. 11<sup>th</sup> Avenue  
Portland, OR 97232-4181

Washington State Transportation  
Commission  
P.O. Box 47308  
Olympia, WA 98504-7308

Charles Montagne  
426 NW 162 St.  
Seattle, WA 97177

Jeanie Summerhays  
Shorelands & Environmental Assistance  
Washington Department of Ecology  
Northwest Regional Office  
3190 – 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452

Edward McKay  
National Geodetic Survey  
NOAA - SSMC3  
1315 East-West Highway  
Silver Spring, MD 20914

The required cover letters (pursuant to 49 C.F.R. 1105.11) are attached hereto. BNSF has consulted with all appropriate agencies in preparing the reports.

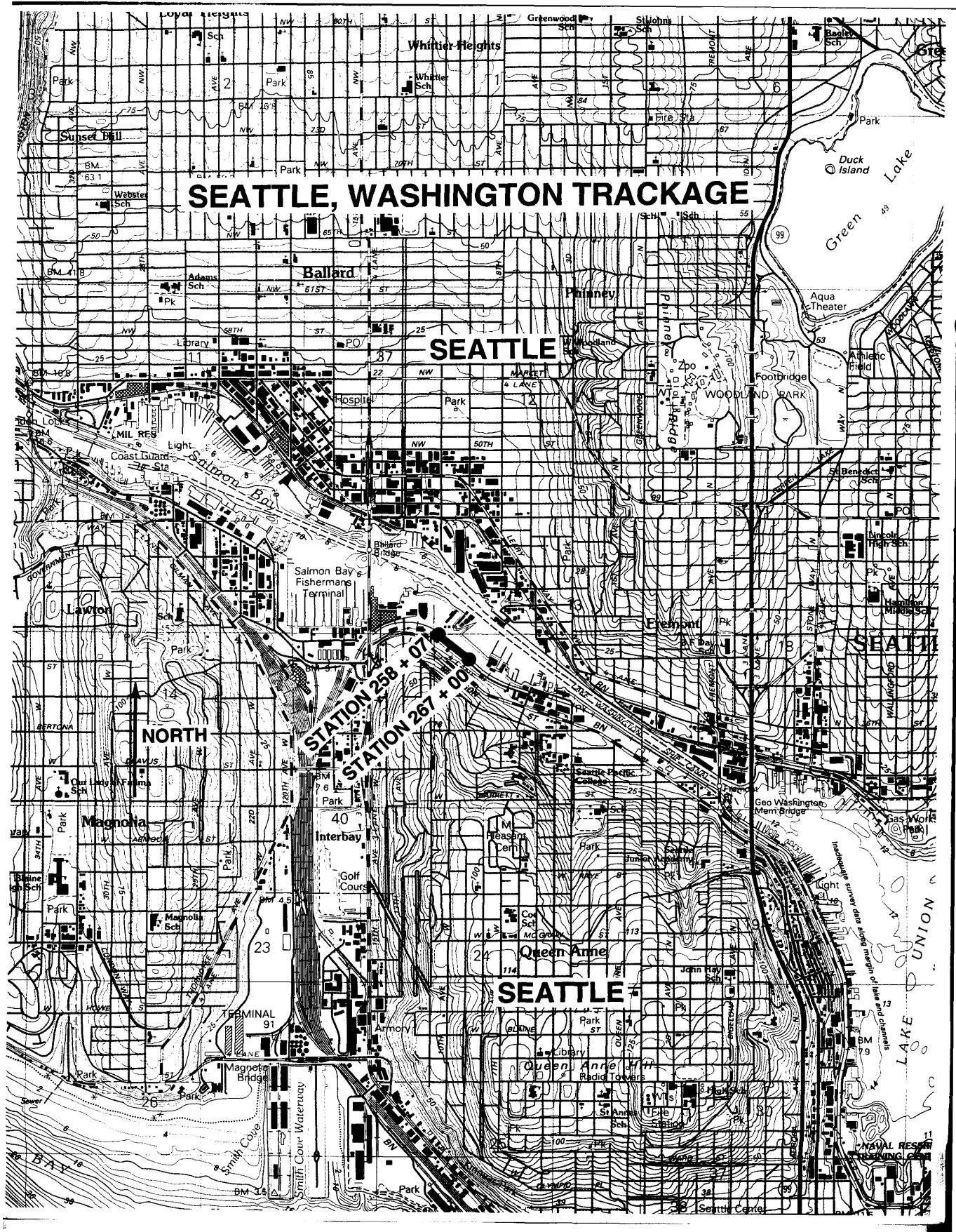
A handwritten signature in black ink, appearing to read "Michael A. Smith", is written over a horizontal line.

Michael Smith  
Freeborn & Peters  
311 S. Wacker Dr. Suite 3000  
Chicago, Illinois 60606-6677  
Phone: (312) 360-6724  
Fax: (312) 360-6598

Dated: December 26, 2002

**A**





**B**



## City of Seattle

Gregory J. Nickels, Mayor

### Seattle Transportation

Grace Crunican, Director

December 2, 2002

Brian Nettles  
311 South Wacker Drive, Suite 3000  
Chicago, Illinois 60606-6677

**Re: The Burlington Northern and Santa Fe Railway Company Abandonment of the  
Seattle, Washington Trackage between Station 258 + 07 and Station 267 + 00.**

Dear Mr. Nettles:

This is in response to your letter to Martha (Marty) Curry that was dated September 30, 2002. We apologize for not having gotten back to you sooner. Marty is not the right person to respond to your letter and for some unknown reason the letter was not forwarded to me. (Life here has been somewhat chaotic of late, what with the move of a good number of City of Seattle employees to a new building, in October.)

The abandoned right-of-way is suitable for alternative public use such as a recreational trail. This section of right-of-way is identified as a planned trail in our adopted Comprehensive Plan and Transportation Strategic Plan. In addition, we have already constructed sections of trail to the east on a previously abandoned portion of the same rail line and there is also an existing trail to the west of this right-of-way, making the piece proposed for abandonment absolutely essential for completion of our trail system.

We understand that although track materials such as rails and ties may be removed, the roadbed will be left intact. We anticipated this; that is fine, as far as we are concerned.

If you have any additional questions, or if you would like to discuss this matter further, please call me at (206) 684-5108. Thank you for your help and cooperation.

Sincerely,

  
Peter Lagerwey  
Senior Transportation Planner  
Seattle Department of Transportation

PAL:bc

cc: Rich Batie, Burlington Northern Santa Fe  
Judy Barbour, City of Seattle  
Stuart Goldsmith, City of Seattle

700 Fifth Avenue, Suite 3900, Seattle, WA 98104-5043

Tel: (206) 684-7623, TTY/TDD: (206) 684-4009, Fax: (206) 684-5180

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

**C**

CHARLES H. MONTANGE  
ATTORNEY AT LAW  
426 NW 102ND STREET  
SEATTLE, WASHINGTON 98177  
(206) 546-1936  
FAX: (206) 546-3739

2 December 2002  
by fax

Mr. Brian Nettles  
Freeborn & Peters  
311 South Wacker Drive, Suite 3000  
Chicago, IL 60606-6677

Re: BNSF--Abandonment in Seattle, King County, WA

Dear Mr. Nettles:

This is in reference to letters which I understand BNSF sent out to various addressees on or about September 30, 2002, asking, inter alia, whether the line of railroad between station 258+07 and 267+00 is suitable for alternative public use and in particular as a trail.

Please be advised that the portion of track indicated is part of a line which is generally regarded by relevant City planning officers to be the most significant single missing link in the City of Seattle's bikeway system. Incorporation of the segment into a trail would link the Burke-Gilman Trail and South Ship Canal with portions of the City currently isolated from the City's bikeway system. This would serve important safety and bicycle commuting goals.

In addition, the segment in question has long been covered by the Burke-Gilman agreements.<sup>1</sup> This constitutes longstanding recognition by the City and BNSF of the importance of the segment in question for alternative public use. Under the Burke-Gilman agreements, the property should and must be made available to the City for alternative public use as a trail. The City appreciates BNSF's cooperation in this regard to date.

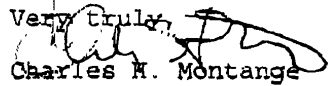
I also would add that the City wishes to expedite the railbanking (under 16 USC 1247(d)) of this segment in order to preserve some grant funds which I understand from city officers

<sup>1</sup> Commencing January 24, 1989, these agreements were entered into to settle a dispute between the BN and City which resulted in a proceeding before the Interstate Commerce Commission.

may otherwise lapse. Thus, we encourage BNSF to seek as expedited an authorization for railbanking as possible. We do not understand any shippers to be affected by the proposed railbanking of this segment.

I apologize for the lateness of this letter, but relevant staff at the City only recently became aware of your request for input. Seattle, perhaps even more than BNSF, is a relatively large place with occasional quirks in the flow of information, and here the quirk has possibly been compounded by the recent and on-going relocation of City offices due to construction of a new city hall.

Very truly,

  
Charles H. Montange  
for City of Seattle

cc. Rich Batie, BNSF  
Judy Barbour & Judy Nevins, Esq(s).  
Sea. City Att. Office  
Stuart Goldsmith (City Trans.)

**D**

United States Department of Agriculture



Natural Resources Conservation Service  
935 Powell Ave SW  
Renton WA 98055  
206-764-3325 ext. 100  
fax 206-764-6677  
web site [www.wa.nrcs.usda.gov](http://www.wa.nrcs.usda.gov)

---

Date: October 8, 2002

Freeborn & Peters  
311 South Wacker Drive, Suite 300  
Chicago IL 60606-6677  
Attn: Brian Nettles

Re: The Burlington Northern and Santa Fe Railway Company Abandonment of Seattle,  
Washington Trackage

Mr. Nettles

I regret to inform you that a soil survey of trackage between stations 258+07 and 267+00 has not been completed. I have attached a list of prime farmland for an adjacent soil survey, which indicates "Urban or built-up areas are not considered prime farmland". Since this area is heavily urbanized and farmland does not exist on the site, no prime farmlands exist on this site.

Thank you,

A handwritten signature in black ink, appearing to read "Pedro Ramos, Jr.", is written over the "Thank you," text.

Pedro Ramos, Jr.  
District Conservationist

The Natural Resources Conservation Service provides leadership in a partnership effort to help people  
conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer



**Table Y. - Prime Farmland**

King County Area, Washington

Only the soils considered prime farmland are listed. Urban or built-up areas of the soils listed are not considered prime farmland. If a soil is prime farmland only under certain conditions, the conditions are specified in parenthesis after the soil name.

Map Symbol	Soil Name
AgB	Alderwood gravelly sandy loam, 0 to 6 percent slopes (Prime farmland if irrigated)
Bh	Bellingham silt loam (Prime farmland if drained)
Br	Briscot silt loam (Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season)
Bu	Buckley silt loam (Prime farmland if drained)
Ea	Earlmont silt loam (Prime farmland if drained)
Ed	Edgewick fine sandy loam
EvB	Everett gravelly sandy loam, 0 to 5 percent slopes (Prime farmland if irrigated)
InA	Indianola loamy fine sand, 0 to 4 percent slopes (Prime farmland if irrigated)
KpB	Kitsap silt loam, 2 to 8 percent slopes
Ng	Newberg silt loam
Nk	Nooksack silt loam (Prime farmland if protected from flooding or not frequently flooded during the growing season)
No	Norma sandy loam (Prime farmland if drained)
Os	Oridia silt loam (Prime farmland if drained)
Pc	Pilchuck loamy fine sand (Prime farmland if irrigated)
Pk	Pilchuck fine sandy loam
Pu	Puget silty clay loam (Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season)
Py	Puyallup fine sandy loam
Re	Renton silt loam (Prime farmland if drained)
Sa	Salal silt loam (Prime farmland if protected from flooding or not frequently flooded during the growing season)
Sh	Sammamish silt loam (Prime farmland if drained)
Sk	Seattle muck (Prime farmland if drained)
Sm	Shalcar muck (Prime farmland if drained)
Sn	Si silt loam (Prime farmland if protected from flooding or not frequently flooded during the growing season)
So	Snohomish silt loam (Prime farmland if drained)
Sr	Snohomish silt loam, thick surface variant
Su	Sultan silt loam (Prime farmland if protected from flooding or not frequently flooded during the growing season)
Tu	Tukwila muck (Prime farmland if drained)
Wo	Woodinville silt loam (Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season)

**E**

## Freeborn & Peters

December 2, 2002

Jeannie Summerhays  
Shorelands & Environmental Assistance  
Washington Department of Ecology  
Northwest Regional Office  
3190 - 160th Ave. SE  
Bellevue, WA 98008-5452

**Re:   *The Burlington Northern and Santa Fe Railway Company Abandonment  
of the Seattle, Washington Trackage***

*Attorneys at Law*

311 South Wacker Drive  
Suite 3000  
Chicago, Illinois  
60606-6677  
Tel 312.360.6000

Brian Nettles  
Paralegal  
Direct 312.360.6336  
Fax 312.360.6596  
bnettl@  
freebornpeters.com

Dear Ms. Summerhays:

The Burlington Northern and Santa Fe Railway Company ("BNSF") plans to file an exemption to abandon its Seattle, Washington Trackage line of railroad between Station 258 + 07 and Station 267 + 00 by the end of the year.

As part of the environmental report BNSF needs to know whether any action affects land or water used within a designated coastal zone.

The proposed abandonment may require the removal of the track materials such as the rails and ties but the roadbed will be left intact.

Please provide this information **as soon as possible**. For your reference I have enclosed a map of the above referenced railroad line. If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me at (312) 360-6336.

Thank you in advance for your cooperation.

Sincerely,



Brian Nettles

/bn  
Enclosure

*Chicago*

*Springfield*

**F**



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia, Washington 98504-8711 • (206) 459-6000

May 12, 1992

Mr. Richard A. Batie  
Manager, Short Line Sales & Marketing  
Burlington Northern Railroad  
3300 Continental Plaza  
777 Main Street  
Fort Worth, TX 76102

Dear Mr. Batie:

The Department of Ecology has received your May 1, 1992, request for concurrence that a proposed abandonment of 3.57 miles of railroad line in the City of Seattle, King County, is consistent with Washington's Coastal Zone Management Program (CZMP).

The Department of Ecology does concur with the consistency statement you provided. We agree that under the Shoreline Management Act (Chapter 90.58 RCW) and Shoreline Master Programs, which are enforceable policies of the CZMP, the mere cessation of activity does not trigger a shoreline permit. Neither would the mere sale of fixtures trigger shoreline permitting, since this does not constitute "development" as defined by RCW 90.58.030.

You are correct in stating that it is the actual removal of tracks, bridge materials, and appurtenances which may require shoreline permits, as these activities could fall within the Shoreline Management Act's meaning of "substantial development." We note that the copy which you supplied of the required contract for removal of track materials as salvage states that the contractor must obtain all necessary permits and comply with all ordinances, regulations and laws, whether local, state, or federal. Additionally, to the degree that salvage activities result in discharges into waters, the salvage may trigger state water quality laws.

If you should require any further information regarding this matter, please contact Bonnie Shorin of my staff at (206) 438-7468.

Sincerely,

A handwritten signature in dark ink, appearing to read "Thomas Mark".

Thomas Mark, AICP  
Section Supervisor  
Shorelands and Coastal Zone  
Management Program

TM:dh

**G**



State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**

Mailing Address: 600 Capitol Way N, Olympia, WA 98501-1091 - (360) 902-2200; TDD (360) 902-2207  
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

Date: OCT 10 2002

Dear Habitats and Species Requester:

Enclosed are the habitats and species products you requested from the Washington Department of Fish and Wildlife (WDFW). This package may also contain documentation to help you understand and use these products.

These products only include information that WDFW maintains in a computer database. They are not an attempt to provide you with an official agency response as to the impacts of your project on fish and wildlife, nor are they designed to provide you with guidance on interpreting this information and determining how to proceed in consideration of fish and wildlife. These products only document the location of important fish and wildlife resources to the best of our knowledge. It is important to note that habitats or species may occur on the ground in areas not currently known to WDFW biologists, or in areas for which comprehensive surveys have not been conducted. Site-specific surveys are frequently necessary to rule out the presence of priority habitats or species.

Your project may require further field inspection or you may need to contact our field biologists or others in WDFW to assist you in interpreting and applying this information. Generally, for assistance on a specific project, you should contact the WDFW Habitat Program Manager for your county and ask for the area habitat biologist for your project area. Refer to the enclosed directory for those contacts.

Please note that sections potentially impacted by spotted owl management concerns are displayed on the 1:24,000 scale standard map products. If specific details on spotted owl site centers are required they must be requested separately.

These products are designed for users external to the forest practice permit process and as such does not reflect all the information pertinent to forest practice review. The Forest Practice Rules adopted August 22, 1997 by the Forest Practice Board and administered by the Washington Department of Natural Resources require forest practice applications to be screened against marbled murrelet detection areas and detection sections. Marbled murrelet detection locations are included in the standard priority habitats and species products, but the detection areas and detection sections are not included. If your project is affected by Forest Practice Regulations, you should specially request murrelet detection areas.

WDFW updates this information as additional data become available. Because fish and wildlife species are mobile and because habitats and species information changes, project reviews for fish and wildlife should not rest solely on mapped information. Instead, they should also consider new information gathered from current field investigations. Remember, habitats and species information can only show that a species or habitat type is present, they cannot show that a species or habitat type is not present. These products should not be used for future projects. Please obtain updates rather than use outdated information.

August 2002

Because of the high volume of requests for information that WDFW receives, we need to charge for these products to recover some of our costs. Enclosed is an invoice itemizing the costs for your request and instructions for submitting payment.

Please note that sensitive information (e.g., threatened and/or endangered species) may be included in this request. These species are vulnerable to disturbances and harassment. In order to protect the viability of these species we request that you not disseminate the information as to their whereabouts. Please refer to these species presence in general terms. For example: "A Peregrine Falcon is located within two miles of the project area".

If your request required a sensitive Fish and Wildlife Information Release Memorandum of Understanding (MOU) and you or your organization has one on file, please refer to that document for conditions regarding release of this information.

For more information on WDFW you may visit our web site at [www.wa.gov/wdfw](http://www.wa.gov/wdfw) or visit the Priority Habitats and Species site at [www.wa.gov/wdfw/hab/phspage.htm](http://www.wa.gov/wdfw/hab/phspage.htm).

For information on the state's endangered, threatened, and sensitive plants as well as high quality wetland and terrestrial ecosystems, please contact the Washington Department of Natural Resources, Natural Heritage Program at PO Box 47014, Olympia Washington 98504-7014, by phone (360)902-1667 or visit the web site at [www.wa.gov/dnr/htdocs/fr/nhp/wanhp.html](http://www.wa.gov/dnr/htdocs/fr/nhp/wanhp.html).

If you have any questions or problems with the information you received please call me at (360) 902-2543 or fax (360) 902-2946.

Sincerely,



Lori Guggenmos, GIS Programmer  
Priority Habitats and Species

Enclosures



## **WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REGIONAL HABITAT PROGRAM MANAGER CONTACTS**

**For assistance with Priority Habitats and Species Information contact a regional habitat program manger and they will direct your questions to a biologist.**

### **County project is in...**

### **Contact...**

Asotin, Columbia, Ferry, Garfield Lincoln,  
Pend Oreille, Spokane, Stevens, Walla Walla,  
Whitman

Kevin Robinette  
8702 North Division Street  
Spokane, WA 99218-1199  
Phone: (509) 456-4082

Adams, Chelan, Douglas, Grant, Okanogan

Tracy Lloyd  
1550 Alder Street NW  
Ephrata, WA 98823-9699  
Phone: (509) 754-4624

Benton, Franklin, Kittitas, Yakima

Ted Clausing  
1701 24th Avenue  
Yakima, WA 98902-5720  
Phone: (509) 575-2740

Island, King, San Juan, Skagit, Snohomish,  
Whatcom

Deborah Cornett  
16018 Mill Creek Blvd.  
Mill Creek, WA 98012-1296  
Phone: (425) 775-1311

Clark, Cowlitz, Klickitat, Lewis, Skamania,  
Wahkiakum

Steve Manlow  
2108 Grand Blvd.  
Vancouver, WA 98661  
Phone: (360) 696-6211

Clallam, Grays Harbor, Jefferson, Kitsap, Mason,  
Pacific, Pierce, Thurston

Steve Kalinowski  
48 Devonshire Road  
Montesano, WA 98563-9618  
Phone: (360) 249-4628



WASHINGTON DEPARTMENT OF FISH AND WILDLIFE  
HABITATS AND SPECIES MAP  
IN THE VICINITY OF T25R03E SECTION 13

Map Scale - 1:24000  
Coordinate System - State Plane South Zone 5626 (NAD27)  
Production Date - October 09, 2002  
Cartography by WDFW Habitat Program GIS

PLEASE NOTE

This map may contain some species not considered priority. If known occurrences of spotted owls and marbled murrelets exist they will be displayed on this map, however, detailed information for them are not included in accompanying reports.

DISCLAIMER

This map only includes information that Washington Department of Fish and Wildlife (WDFW) maintains in a central computer database. It is not an attempt to provide you with an official agency response on the impacts of your project on fish and wildlife. This information only documents the location of fish and wildlife resources to the best of our knowledge. It is not a complete inventory and is important to note that fish and wildlife resources may occur in areas not currently known to WDFW biologists, or in areas for which comprehensive surveys have not been conducted. Site specific surveys are frequently necessary to rule out the presence of priority resources.

Locations of mapped wildlife and habitat features are generally within a quarter mile of the locations displayed on this map. Locations of fish and wildlife resources are subject to variation caused by disturbance, changes in season and weather, and other factors. WDFW does not recommend using maps more than six months old. To insure appropriate use of this information, users are encouraged to consult with WDFW biologists.

MAIN DATA SOURCES

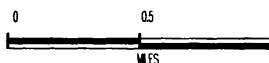
Priority Habitats and Species polygon and Habitat point data: WDFW Habitat Program.  
Wildlife Heritage, Spotted Owl, and Marbled Murrelet data: WDFW Wildlife Program.  
1:100,000 Streams and fish presence data: WDFW Streamnet Database.  
National Wetlands Inventory data: US Fish and Wildlife Service.  
Seabird Colony data: US National Oceanic and Atmospheric Administration.  
Kelp Bed, Oak Stand, Eelgrass, Turf Algae and Township/Section data: W. Dept. of Natural Resources.  
Columbia River Tidal Marsh data: Oregon State Service Center for Geographic Information Systems (1986).  
7.5-minute quadrangle image from US Geological Survey.

MAP LEGEND

- Priority Habitats and Species (HAB) Polygon Borders
- Wildlife Heritage Points
- ⊕ Marbled Murrelet Points (Occupancy Sites Only)
- Habitat Points
- △ Seabird Colonies
- ★ Spotted Owl Site Centers (Official Status 1-4)
- ▨ Spotted Owl Management Circles Established Territory
- ▩ Spotted Owl Management Circles Insufficient Data To Establish Territory
- Township Lines
- Section Lines
- Rivers and Streams at 100,000 Scale Resolution
- Anadromous Fish Presence
- Resident Fish Presence
- Priority Anadromous/Resident Fish Presence
- ▨ National Wetlands Inventory



AREA LOCATION



WASHINGTON DEPARTMENT OF FISH AND WILDLIFE - HABITATS AND SPECIES REPORT  
IN THE VICINITY OF T25R03E SECTION 13  
Report Date: October 09, 2002

This map contains the following species and/or habitat locations that are deemed sensitive by the Washington Department of Fish and Wildlife Sensitive Fish and Wildlife Policy.

PHS CODE/ SPPCODE	COMMON NAME	USE CODE	USE DESCRIPTION
ARHE	GREAT BLUE HERON	B	BREEDING OCCURRENCE

PHS POLYGON FORM LIST - CROSS REFERENCE REPORT  
IN THE VICINITY OF T25R03E SECTION 13

PHSPOLY#	FORM NUMBER/ PHS CODE*USE CODE
2	900000 *-
3	901979-902030 HALE*B-UNOS*-
4	902030 UNOS*-
5	904461 ZACA*HO-
6	901979-902032 HALE*B-UNOS*-
7	901979 HALE*B-
8	901979 HALE*B-
9	901979-902032 HALE*B-UNOS*-
10	902030 UNOS*-
11	902030 UNOS*-
12	902030 UNOS*-

PHS POLYGON - SPECIES AND HABITAT LIST

PHS FORM#	PRIORITY	PHS CODE	COMMON NAME	USE CODE	USE DESCRIPTION
900,000					
901,979	YES	HALE	BALD EAGLE	B	BREEDING OCCURRENCE
902,030	YES	UNOS	URBAN NATURAL OPEN SPACE		
902,032	YES	UNOS	URBAN NATURAL OPEN SPACE		
904,461	YES	ZACA	CALIFORNIA SEA LION	HO	HAULOUT

Form number 900000 indicates presence of PHS is unknown or the area was not mapped. Form numbers 909998, 909997, or 909996 indicate compilation errors.

YES under the "PRIORITY" column indicates that the species or habitat is considered a priority and is on the Priority Habitats and Species List and/or the Species of Concern List.

WILDLIFE HERITAGE POINT - SPECIES LIST AND REPORT  
IN THE VICINITY OF T25R03E SECTION 13

QUADPT	PRIORITY	SPPCODE	COMMON NAME	USE CODE	USE DESCRIPTION
4712263031	YES	HALE	BALD EAGLE	B	BREEDING OCCURRENCE
4712264009	YES	ARHE	GREAT BLUE HERON	B	BREEDING OCCURRENCE

YES under the "PRIORITY" column indicates that the species or habitat is considered a priority and is on the Priority Habitats and Species List and/or the Species of Concern List.

quadpt: 4712263031 sppcode: HALE use: B name: BALD EAGLE  
year: 2001 class: SA accuracy: C state status: ST fed status: FT  
township - range - section: T25N R04E S07 SEOFNW occur#: 1267 seqno: 1  
general description:  
BALD EAGLE NEST IN DOUG-FIR. CAN BE VIEWED FROM UPPER PARKING AREA SW OF NEST.  
OLD TRAIL NEARLY UNDER NEST TREE. NEST NE OF SMALL PICNIC PAVILION #5.

quadpt: 4712264009 sppcode: ARHE use: B name: GREAT BLUE HERON  
year: 2000 class: SA accuracy: C state status: SM fed status:  
township - range - section: T25N R03E S10 SEOFSE occur#: 217 seqno: 1  
general description:  
GREAT BLUE HERON COLONY LOCATED ON S SIDE OF SALMON BAY IN W SEATTLE.  
ACT-88;9NEST-90;6ACT NESTS-91; 9ACT NESTS-92; 93-11 ACT NESTS; 94-8 ACT NESTS.  
PARK COLONY); 21 NESTS, 17 OCCUPIED-96 (PG 9600262); 7 ACTIVE 2000 GMF, PG 13;

Note:

If known occurrences of spotted owls and marbled murrelets exist they will be displayed on the accompanying map, however, detailed information for them are not included in this report.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE - PHS POLYGON REPORT  
Report Date: 10/09/2002

form: 901,979 species/habitat: HALE species use: B season: SU accuracy: 1  
sitename: DISCOVERY PARK BALD EAGLE TERRITORY  
general description:  
EAGLE TERRITORY IDENTIFIED IN 1988, ACTIVE AND PRODUCTIVE IN 1990.

source: GOLDSMITH, MARK WDFW  
date: 08 01 code: PROF  
synopsis:  
NATURAL HERITAGE DATABASE.

source: NEGRI, STEVE WDFW  
date: 062698 code: PROF  
synopsis:  
MAP EDIT: CHANGE EAGLE TERRITORY BOUNDARY AS A RESULT OF DISCOVERY OF ANOTHER  
TERRITORY ON BROADMOOR GOLF COURSE (SOUTH UNION BAY).

source: STEVE, SWEENEY, PARAMETRIX  
date: 03 90 code: PROF  
synopsis:  
CONSULTANT HIRED TO EVALUATE METRO PROJECTS ON EAGLES, REPORTS ON FILE.

form: 902,030 species/habitat: UNOS species use: season: accuracy: 1  
sitename: SEATTLE CITY PARKS (VARIOUS).  
general description:  
SEATTLE CITY PARKS.

source: MULLER, TED; WDW; PERSONAL OBSERVATION.  
date: 91 code: PROF  
synopsis:  
HAVE PERSONALLY VISITED MOST OF THE CITY PARKS OVER A 30 YEAR PERIOD.

form: 902,032 species/habitat: UNOS species use: season: accuracy: 1  
sitename: MAGNOLIA HERON COLONY  
general description:  
URBAN OPEN SPACE AREA. STEEP RAVINE AND STEEP FORESTED HILLSIDE.

source: MULLER, TED; WDW; PERSONAL OBSERVATION.  
date: 032891 code: PROF  
synopsis:  
VISIT SITE FREQUENTLY WHILE WALKING NEAR HOME.

source: PENLAND, STEVE; WDW; PERSONAL OBSERVATION.  
date: 03 91 code: PROF  
synopsis:  
VISITED SITE TO DETERMINE DISTURBANCE OF CONSTRUCTION ACTIVITY.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE - PHS POLYGON REPORT  
Report Date: 10/09/2002

form: 904,461 species/habitat: ZACA species use: HO season: WS F accuracy: 1  
sitename:  
general description:  
CALIFORNIA SEA LION

source: STEVE, JEFFRIES, WDW  
date: 91 code: PROF  
synopsis:  
AERIAL SURVEYS



STATE OF WASHINGTON

OFFICE OF COMMUNITY DEVELOPMENT

Office of Archaeology and Historic Preservation

1063 S. Capitol Way, Suite 106 • PO Box 48343 • Olympia, Washington 98504-8343 • (360) 586-3065  
Fax Number (360) 586-3067 • [http:// www.oahp.wa.gov](http://www.oahp.wa.gov)

November 1, 2002

Mr. Brian Nettles  
*Attorneys at Law*  
311 South Wacker Drive  
Suite 3000  
Chicago, Illinois 60606-6677

Re: BN & Santa Fe Abandonment  
Log No.: 103102-15-STB

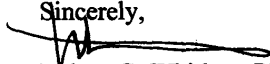
Dear Mr. Nettles:

We have reviewed the materials forwarded to our office for the proposed Burlington Northern and Santa Fe Railway Company Abandonment between Station 258+07 and Station 267+00 in Seattle, King County, Washington. Based upon this information we are of the opinion the proposed project will have no effect upon cultural properties included in the National and State Registers of Historic Places and the Washington State Archaeological and Historic Sites Inventories. Thus, no historic properties are affected.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer in compliance with the Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations 36CFR800.4. Should additional information become available, our assessment may be revised, including information regarding historic properties that have not yet been identified.

We would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4). In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity should be discontinued, the area secured, and the concerned tribes and this office notified. Thank you for the opportunity to comment and a copy of these comments should be included in subsequent environmental documents.

Sincerely,

  
Robert G. Whitlam, Ph.D.  
State Archaeologist  
(360)586-3080  
email: [robw@cted.wa.gov](mailto:robw@cted.wa.gov)